

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney. Docket No. 039322-0226

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7/9/02

Applicants: James P. HOEFFLER *et al.*

Title: SINGLE CHAIN MONOCLONAL ANTIBODY FUSION
REAGENTS THAT REGULATE TRANSCRIPTION *IN VIVO*

Application No.: 09/939,769

RECEIVED

Filing Date: August 28, 2001

JUN 25 2002

Examiner: Susan Unger

TECH CENTER 1600/2900

Art Unit: 1642

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form SB08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

Any document listed on the attached PTO-SB08 was cited as being relevant during the prosecution of the corresponding European application. A copy of the European Search Report is attached setting forth the portion of each document considered relevant by the examiner. An English-language counterpart of the foreign-language documents has been provided.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-SB08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 25 June 2002

By S. A. Bent

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Date Submitted: June 25, 2002

(use as many sheets as necessary)

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| Sheet | 1 | of | 2 |
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Complete if Known

| | |
|-------------------------------|-------------------|
| Application Number | 09/939,769 |
| Filing Date | 08/28/2001 |
| First Named Inventor | James P. Hoeffler |
| Group Art Unit | 1642 |
| Examiner Name | Susan Unger |
| Attorney Docket Number | 039322-0226 |

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| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ⁶ |
|--------------------|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| | A6 | Gargano, N. et al., "From Phage Libraries to Intracellular Immunization," pp. 173-186 (1997) | |
| | A7 | Marasco, W. A., "Intracellular Antibodies (intrabodies) as research reagents and therepeutic molecules for gene therapy," Immunotechnology, vol. 1, no. 1., pp. 1-19 (1995) | |
| | A8 | Marasco, W.A., "Intrabodies: turning the humoral immune system outside in for intracellular immunization," Gene Therapy, vol. 4, no. 1, pp. 11-15 (1997) | |

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ⁶ |
|-----------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| | A9 | Mhashilkar A. M. et al., "Inhibition of HIV-1 Tat-mediated LTR transactivation and HIV-1 infection by anti-Tat single chain intrabodies," The EMBO Journal, vol. 14, no. 7, pp. 1542-1551 (1995) | |
| | A10 | Haard, De H. J. W. et al., "Selection of Recombinant, Library-Derived Antibody Fragments against p24 for Human Immunodeficiency Virus Type 1 diagnostics," Clin. Diagn. Lab. Immunol., vol. 5, no. 5, pp. 636-644 (1998) | |
| | A11 | Visintin M. et al., "Selection of antibodies for intracellular function using a two-hybrid in vivo system," PNAS, vol. 96, no. 21, pp. 11723-11728 (1999) | |
| | A12 | De Jaeger Geert et al., "Analysis of the interaction between single-chain variable fragments and their antigen in a reducing intracellular environment using the two-hybrid system," FEBS Letter, vol. 467, no. 2-3, pp. 316-320 (2000) | |
| | A13 | Portner-Taliana A. et al., "In vivo selection of single-chain antibodies using a yeast two-hybrid system," Journal of Immunology, vol. 238, no. 1-2 (2000) | |
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